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SUBJECT: FIJI UPDATE, APRIL 16, 2007: WAR OF WORDS  
CONTINUES; SOLDIERS DETAINED IN NORTH FOR "INCITING  
MUTINY," ASIA PACIFIC LAW ASSOCIATION SAYS FIJI JUDICIARY  
COMPROMISED; PIF-FIJI JOINT WORKING GROUP AGREES ON TERMS  
OF REFERENCE

REF: A. SUVA 212

[1](#)B. SUVA 213

#### Summary

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[1](#)1. (SBU) Interim government rhetoric against the U.S. and other countries that have imposed sanctions against Fiji continued over the weekend. Most notable is the press statement issued by the interim Attorney General which accuses the Ambassador and the high commissioners of Australia and the UK of "inciting mutiny." The interim AG said the three diplomats should not "hide behind the privilege of diplomatic immunity." The Permanent Secretary to the interim PM told a group of diplomats that the recent escalation of rhetoric was regrettable, and blamed foreign governments for spreading misinformation about the interim regime. In that meeting we expressed concern about the harsh and false statements made by the military and members of the interim government. In a sign that all may not be well within the military, three officers are being investigated for mutiny in Fiji's north. The Law Association for Asia and the Pacific has expressed concern about the rule of law in Fiji and notes that the judiciary is widely seen as divided and politicized. It has called for specific charges to be made against suspended Chief Justice Fatiaki, if there are grounds for such charges. The Pacific Island Forum-Fiji Joint Working Group agreed on terms of reference. It also agreed that an independent assessor should be hired to determine the minimum reasonable time required to prepare for and conduct the next parliamentary elections in Fiji. The study will begin in early May and should be completed in June. End summary.

Anti-U.S. Rhetoric Continues, But RFMF Insists  
Military Relations with U.S. are Intact

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[1](#)2. (SBU) RFMF and interim government rhetoric against the U.S. continued over the weekend. RFMF spokesman Neumi Leweni said the recent strained ties between the U.S. and Fiji should be placed solely on the shoulders of Ambassador Dinger because he overstepped his role by trying to instigate mutiny in the RFMF when he and other chiefs of mission visited the military camp last November. RFMF Deputy Commander Esala Teleni chimed in, saying that the statements from Land Force Commander Colonel Pita Driti (ref a) about the diplomats inciting mutiny were accurate. Leweni insisted the military's relationship with the U.S. remains fully intact,

citing Fiji's roles in the U.S.-funded multinational force in the Sinai and in UN peacekeeping operations. "There is nothing to worry about" in regard to continued Fiji participation in these activities, he said.

#### Interim AG Press Statement

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13. (SBU) Media reported heavily on the press statement released by interim Attorney General Sayed-Khaiyum accusing the heads of the U.S., Australian and British missions of attempting to incite mutiny in the RFMF last year (ref b). Most media also accurately reported the rebuttal of those statements contained in a joint press release put out 4/13 by the three missions (ref A). In his statement, Sayed-Khaiyum said "the three diplomats in question are currently hiding behind the privilege of diplomatic immunity. The absence of diplomatic immunity would have certainly led to investigations against them for such an act. Perhaps in light of their much publicized commitment to the rule of law they should consider waiving their diplomatic status to allow for an unimpeded investigation by the Police into their behavior last November." The behavior of the three diplomats, continued Sayed-Khaiyum, "constitutes an unwarranted and unlawful interference in the affairs of a sovereign state....No person that engages in such behavior should be allowed to hide behind the privilege of diplomatic immunity."

#### Driti Attacks Australia and New Zealand, Again

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14. (SBU) Col. Driti, who last week said he'd close down the Australian and New Zealand High Commissions if he had the chance, pressed his attack on Sunday. Perhaps the two countries should relocate their high commissions to elsewhere

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in the Pacific, he said. "There is no point in having them here if they frustrate the military and interim government's efforts to return the country to democracy." "First they cut off diplomatic ties and then they went and cried to the United Nations to stop Fijian soldiers from taking part in peacekeeping duties." "If they think they can treat us like dirt," Driti went on, "they should think again because we are an independent and sovereign nation."

#### And the Fiji Labor Party Gets Into the Act

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15. (SBU) The Fiji Labor Party President, an ally of interim Finance Minister Chaudhry, also went on the offensive against the U.S. and other countries April 15, stating the party "is alarmed at revelations that the heads of three diplomatic missions tried to influence army officers against their Commander in late November....Such actions will only tend to embitter relations at a time when Fiji needs all the understanding and assistance we can get from those that regard themselves as friends of Fiji." The Labor party leader criticized the U.S., Australia, New Zealand and Britain for their "support for the despotic and insensitive (Qarase) government." These four countries "must take equal blame for the deteriorating situation in Fiji that resulted in the takeover of 5 December, 2006."

PM Office Permanent Secretary  
Blames Others for the Rhetoric

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16. (SBU) At a briefing for diplomatic missions April 16, PM Office Permanent Secretary Parmesh Chand, noted the "many arguments reported in the media over the past two weeks" between the interim government and the international community. He attributed these "arguments" to misrepresentations by foreign governments and the failure by

these governments to "accept Fiji's reality," and help Fiji move forward. Other nations, he said, should engage with the interim government and try to solve problems through diplomatic means. The U.S. Embassy representative to the meeting (the DCM) countered that the U.S. is more than willing to engage in dialogue, as last week's visit of DAS Davies to Fiji indicates. The U.S. is very concerned, however, about recent strident and false statements made by military and interim government officials. The Australian representative weighed in, noting his government's concern about the statements by the interim AG. Chand said the statements by interim government figures were "tit for tat" and agreed that a more civil discourse is necessary. The DCM noted our request of today to have the Ambassador meet with the interim PM to discuss Embassy security issues. Chand promised to look into setting up a meeting.

#### Military Calls Rabuka Comments "Mischievous"

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17. (SBU) RFMF spokesman Leweni criticized former PM (and leader of the 1987 coups) Sitiveni Rabuka for stating in a newspaper opinion piece over the weekend that the interim government is attempting to dismantle Fiji's traditional chiefly system. With obvious tongue in cheek, Rabuka said the interim regime is attempting to build a "new order" wherein the villages and provinces of Fiji "would owe allegiance to the national political leaders not too different from the 'political commissars' that came out of the great cultural revolutions of Russian and China." Rabuka ended his article by suggesting the RFMF change its name to the "People's Liberation Army." Clearly not amused by the references to cultural revolutions and the PLA, Leweni called Rabuka's comments "mischievous" and "baseless." "It would be more helpful for the former PM to assist the indigenous population by providing constructive messages rather than trying to confuse them," he said.

#### Signs of Military Discord? Allegations of Mutiny Against Three Officers

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18. (U) According to press reports, a military Board of Enquiry is looking into allegations that three officers in Vanua Levu (Fiji's second largest island) failed to obey orders in a late-March incident. The officers allegedly ordered soldiers to remove themselves from checkpoints despite a clear directive from RFMF headquarters to continue

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manning the checkpoints. The three officers are in police custody.

#### LAWASIA Says Rule of Law in Question

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19. (U) The report by the Law Association for Asia and the Pacific (LAWASIA) of its late March fact-finding mission to Fiji noted that "the rule of law in Fiji may be compromised by the ongoing uncertainty as to the status and future of suspended Chief Justice Fatiaki and by the ongoing public perception, right or wrong, that the judiciary is politicized and divided." LAWASIA called for the charges against the CJ to be "particularized" and heard before an independent Tribunal. (Fatiaki has never been told the specific basis for his dismissal.) LAWASIA offered to help select candidates for such a tribunal. It noted that because of controversy over the dismissal of Fatiaki and the appointment of Acting Chief Justice Gates, "any actions performed by him (Anthony Gates) in his capacity as Acting Chief Justice will remain under the shadow of possible future challenge." Noting the current climate of intimidation in Fiji, LAWASIA said that "members of the legal profession must be entitled to speak openly about all of these issues without the fear of

intimidation by the military."

#### PIF-Fiji Joint Working Group Terms of Reference

10. (SBU) The Pacific Islands Forum-Fiji Joint Working Group held its second meeting in Suva April 13. Australia, FSM, Kiribati, Nauru, New Zealand, PNG, Marshall Islands, and Tuvalu sent representatives from their missions in Suva. PM PermSec Chand and Foreign Affairs Advisor Mataitoga represented Fiji. The Working Group agreed on terms of reference as follows:

--To discuss and monitor the progress of Fiji toward implementation of the outcomes of the Forum Foreign Affairs Ministers' Meeting;

--To identify, assess and recommend credible mechanisms for returning Fiji to democracy as soon as possible, including the development of a roadmap to parliamentary elections in the shortest practicable time;

--To identify other priority issues for action arising from the EPG recommendations;

--To identify, assess and recommend means by which the Forum may assist Fiji to implement the EPG's recommendations, including the areas of assistance noted in the outcomes of the Forum Foreign Affairs Ministers' Meeting;

--To oversee the provision of such assistance and monitor its progress;

--To discuss any other matters pertinent to the decisions of Forum Foreign Affairs Ministers and Leaders on the Fiji situation.

11. (SBU) The Working Group also agreed that an independent assessment should be undertaken to the minimum reasonable time required to prepare for and conduct the next parliamentary elections in Fiji. The study will assess whether an election can be held based on the current boundaries and register or whether a census, and new registers are needed. The study will assess the timeframe in which Fiji would conduct a census, revise boundaries, prepare a register of voters, etc. The study will also assess the need for additional resources to complete these tasks in a minimum practicable time. The Forum Secretary will arrange this study, seek funding and provide administrative support. The study is set to commence by the beginning of May, to be completed by mid-June.

DINGER